

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of ) Group Art Unit: 1642  
Simon Kwok et al. ) Examiner: Misook Yu  
Serial No.: 09/935,038 )  
Filed: August 22, 2001 )  
For: "Novel Tumor Suppressor )  
Encoding Nucleic Acid, )  
PTX1, and Methods of Use )  
Thereof"

## NOTICE OF APPEAL FROM THE PRIMARY

EXAMINER TO THE BOARD OF APPEALS

Applicant hereby appeals to the Board of Appeals from the decision dated April 3, 2003 of the Primary Examiner finally rejecting claim 4.

This application is on behalf of

[ ] other than a small entity

[ X ] small entity.

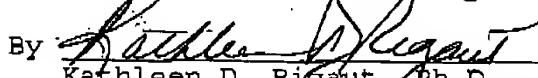
A check for the requisite appeal fee \$160.00 is enclosed.

[ ] not required (fee paid in prior appeal in this application).

[ X ] charge any underpayment or credit any overpayment to Deposit Account No. 04-1406 (A duplicate copy of this Notice is enclosed herewith).

Respectfully submitted,

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A Professional Corporation  
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